

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FIRST LEGISLATURE

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**FIFTY-FIRST LEGISLATIVE DAY  
TUESDAY, FEBRUARY 28, 2012**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Buckner-Webb, Henderson, Smith(24). Total – 3.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Myleah Keller, Page.

### Approval of Journal

February 28, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fiftieth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

February 27, 2012

Mr. Speaker:

I transmit herewith [SCR 121](#), [SCR 122](#), [SJR 106](#), and [S 1324](#) which have passed the Senate.

NOVAK, Secretary

[SCR 121](#), [SCR 122](#), [SJR 106](#), and [S 1324](#) were filed for first reading.

February 27, 2012

Mr. Speaker:

I return herewith [HCR 33](#), [H 394](#), [H 438](#), [H 405](#), and [H 469](#) which have passed the Senate.

NOVAK, Secretary

[HCR 33](#), [H 394](#), [H 438](#), [H 405](#), and [H 469](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

February 28, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 46](#),

[H 591](#), [H 592](#), [H 593](#), [H 594](#), [H 595](#), [H 596](#), [H 597](#), [H 598](#), and [H 599](#).

WILLS, Chairman

[HCR 46](#) and [H 598](#) were filed for second reading.

[H 591](#), [H 592](#), [H 593](#), and [H 594](#) were referred to the Revenue and Taxation Committee.

[H 595](#) was referred to the Judiciary, Rules, and Administration Committee.

[H 596](#) was referred to the Transportation and Defense Committee.

[H 597](#) was referred to the Local Government Committee.

[H 599](#) was referred to the State Affairs Committee.

February 28, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 375](#), [H 369](#), [H 407](#), [H 408](#), [H 409](#), and [H 473](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 375](#), [H 369](#), [H 407](#), [H 408](#), [H 409](#), and [H 473](#) and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 27, 2012

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 579](#) and recommend that it do pass.

NONINI, Chairman

[H 579](#) was filed for second reading.

February 27, 2012

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 420](#), [H 421](#), and [H 422](#) and recommend that they do pass.

BLACK, Chairman

[H 420](#), [H 421](#), and [H 422](#) were filed for second reading.

February 28, 2012

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1308](#) and recommend that it do pass.

NONINI, Chairman

[S 1308](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

[SCR 121](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[SCR 122](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 600  
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION FOR FISCAL YEAR 2013; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS; AND REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES.

**HOUSE BILL NO. 601  
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2013; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS.

**HOUSE BILL NO. 602  
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF FINANCE FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS.

**HOUSE BILL NO. 603  
BY EDUCATION COMMITTEE**

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE A CERTAIN TABLE RELATING TO THE COMPUTATION OF ELEMENTARY SUPPORT UNITS AND TO PROVIDE THAT CERTAIN CALCULATIONS SHALL BE CARRIED OUT TO THE NEAREST HUNDREDTH; AMENDING SECTION 33-1003, IDAHO CODE, TO REMOVE CERTAIN PROVISIONS RELATING TO A DECREASE IN AVERAGE DAILY ATTENDANCE AND TO REVISE CERTAIN PROVISIONS RELATING TO A DECREASE IN AVERAGE DAILY ATTENDANCE; AND AMENDING SECTION 33-1009, IDAHO CODE, TO PROVIDE THAT CERTAIN PAYMENTS MADE TO THE SCHOOL DISTRICTS MAY BE BASED UPON CERTAIN PAYMENTS FOR THE PRECEDING SCHOOL YEAR, TO PROVIDE THAT EACH SCHOOL DISTRICT MAY RECEIVE CERTAIN PAYMENTS IN A CERTAIN RATIO AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 604  
BY EDUCATION COMMITTEE**

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-118, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE ADOPTION OF CURRICULAR MATERIALS, TO PROVIDE FOR CERTAIN FEES, TO PROVIDE THAT THE BOARD SHALL, BY RULE, DETERMINE THE PROCESS BY WHICH THE DEPARTMENT OF EDUCATION REVIEWS AND APPROVES ONLINE COURSES AND THE FEES NECESSARY TO DEFRAY THE DEPARTMENT'S COST OF SUCH REVIEW AND APPROVAL PROCESS.

**HOUSE BILL NO. 605  
BY EDUCATION COMMITTEE**

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-130, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A FEE FOR A CRIMINAL HISTORY CHECK; AND AMENDING SECTION 33-1204, IDAHO CODE, TO PROVIDE THAT THE SCHOOL DISTRICTS SHALL PROVIDE THE STATE DEPARTMENT OF EDUCATION CERTAIN ELECTRONIC MAIL ADDRESSES OF ALL CERTIFICATED EMPLOYEES AND TO PROVIDE FOR A NOTIFICATION.

[H 600](#), [H 601](#), [H 602](#), [H 603](#), [H 604](#), and [H 605](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[SJR 106](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

[S 1324](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

[SCR 114](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

[H 541](#) and [H 540](#), as amended, by Business Committee, were read the second time by title and filed for third reading.

[S 1333](#), by Finance Committee, was read the second time by title and filed for third reading.

[S 1243](#), as amended in the House, by Transportation Committee, was read the second time by title and filed for third reading.

[H 358](#), as amended in the Senate, and [H 488](#), as amended, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

[H 386](#), as amended, and [H 564](#), as amended, by Education Committee, were read the second time by title and filed for third reading.

[H 491](#), as amended, by State Affairs Committee, was read the second time by title and filed for third reading.

[H 479](#), as amended, and [H 511](#), as amended, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

[H 507](#), as amended, by Local Government Committee, was read the second time by title and filed for third reading.

[H 485](#), as amended, and [H 520](#), as amended, by Environment, Energy, and Technology Committee, were read the second time by title and filed for third reading.

[H 486](#), as amended, [H 439](#), as amended, and [H 502](#), as amended, by Health and Welfare Committee, were read the second time by title and filed for third reading.

[H 522](#), as amended, by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[H 512](#), as amended, by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

#### [H 556](#) - PERSONNEL SYSTEM

[H 556](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall [H 556](#) pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bilbao, Black, Block(Block), Bolz, Boyle, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Bell, Buckner-Webb, Burgoyne, Henderson, Lake, Smith(24). Total – 6.

Total – 70.

Whereupon the Speaker declared that [H 556](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 494](#) - BOARD OF SCALING PRACTICES

[H 494](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall [H 494](#) pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bilbao, Black, Block(Block), Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Higgins, Jaquet, Killen, King, Lacey, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Harwood. Total – 1.

Absent and excused – Bell, Buckner-Webb, Henderson, Lake, Smith(24). Total – 5.

Total – 70.

Whereupon the Speaker declared that [H 494](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 403](#) - ABANDONED MOTOR VEHICLES

[H 403](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall [H 403](#) pass?"

Roll call resulted as follows:

AYES – Barbieri, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Burgoyne, Chadderdon, Chew, Cronin, Ellsworth, Gibbs, Hagedorn, Hart, Hartgen, Higgins, Jaquet, Killen, King, Lacey, Lake, Luker, McMillan, Nessel, Nielsen, Patrick, Pence, Perry, Raybould, Roberts, Rusche, Schaefer, Shirley, Smith(30), Stevenson, Trail, Wills, Wood(27), Mr. Speaker. Total – 40.

NAYS – Anderson(Keough), Andrus, Barrett, Bateman, Batt, Bayer, Boyle, Collins, Crane, DeMordaunt, Eskridge, Guthrie, Harwood, Loertscher, Marriott, McGeachin, Moyle, Nonini, Palmer, Ringo, Shepherd, Simpson, Sims, Thayne, Thompson, Vander Woude, Wood(35). Total – 27.

Absent and excused – Buckner-Webb, Henderson, Smith(24). Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 403](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 514](#) - DISTURBING THE PEACE

[H 514](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

The question being, "Shall [H 514](#) pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Buckner-Webb, Henderson, Smith(24). Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 514](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 447](#) - MODULAR BUILDINGS

[H 447](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Barbieri to open debate.

Pursuant to Rule 38(3), Mr. Hart disclosed a conflict of interest regarding [H 447](#).

The question being, "Shall [H 447](#) pass?"

Roll call resulted as follows:

AYES – Barbieri, Black, Block(Block), Chadderdon, Chew, Collins, Cronin, DeMordaunt, Guthrie, Hagedorn, Jaquet, Killen, Moyle, Palmer, Patrick, Perry, Raybould, Ringo, Rusche, Shirley, Smith(30), Trail, Wills, Mr. Speaker. Total – 24.

NAYS – Anderson(Keough), Andrus, Barrett, Bateman, Batt, Bayer, Bell, Bilbao, Bolz, Boyle, Burgoyne, Crane, Ellsworth, Eskridge, Gibbs, Hart, Hartgen, Harwood, Higgins, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Nessel, Nielsen, Nonini, Pence, Roberts, Schaefer, Shepherd, Simpson, Sims, Stevenson, Thayne, Thompson, Vander Woude, Wood(27), Wood(35). Total – 42.

Absent and excused – Bedke, Buckner-Webb, Henderson, Smith(24). Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 447](#) failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

#### [H 465](#) - PUBLIC WORKS CONTRACTORS LICENSES

[H 465](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

Pursuant to Rule 38(3), Mr. Crane disclosed a conflict of interest regarding [H 465](#).

The question being, "Shall [H 465](#) pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Bedke, Buckner-Webb, Henderson, Smith(24). Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 465](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 492](#) - UNIFORM SECURITIES ACT

[H 492](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall [H 492](#) pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Crane,

Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Buckner-Webb, Henderson, Smith(24). Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 492](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 539](#) - VIDEO SERVICE ACT

[H 539](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Crane to open debate.

The question being, "Shall [H 539](#) pass?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Buckner-Webb, Henderson, Smith(24). Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 539](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the House recess until 1:30 p.m.

Without objection, the Speaker declared the House at recess until 1:30 p.m.

#### RECESS

##### Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Eleventh Order of Business.

Mr. Moyle asked unanimous consent that [HCR 39](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

#### [HCR 34](#) - STATE ENERGY PLAN

[HCR 34](#) was read the third time at length and placed before the House for final consideration.



At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall [HCR 34](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Bateman, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Burgoyne, Chadderdon, Chew, Collins, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nonini, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Smith(30), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 56.

NAYS – Barrett, Batt, Bayer, Boyle, Crane, Loertscher, Nielsen, Palmer, Sims. Total – 9.

Absent and excused – Buckner-Webb, Henderson, Patrick, Simpson, Smith(24). Total – 5.  
Total – 70.

Whereupon the Speaker declared [HCR 34](#) adopted and ordered the resolution transmitted to the Senate.

#### [HCR 37](#) - VETERINARY MEDICINE BOARD - RULE REJECTED

[HCR 37](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle to open debate.

The question being, "Shall [HCR 37](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Sims, Smith(30), Stevenson, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Buckner-Webb, Henderson, Patrick, Simpson, Smith(24), Thayne. Total – 6.  
Total – 70.

Whereupon the Speaker declared [HCR 37](#) adopted and ordered the resolution transmitted to the Senate.

#### [HCR 38](#) - AGRICULTURE DEPARTMENT - RULE REJECTED

[HCR 38](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

Pursuant to Rule 38(3), Mr. Bedke disclosed a conflict of interest regarding [HCR 38](#).

Pursuant to Rule 38(3), Mr. Lake disclosed a conflict of interest regarding [HCR 38](#).

Pursuant to Rule 38(3), Mr. Loertscher disclosed a conflict of interest regarding [HCR 38](#).

The question being, "Shall [HCR 38](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barrett, Bateman, Batt, Bayer, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hartgen, Higgins, Jaquet, Killen, King, Lake, Loertscher, Marriott, McGeachin, McMillan, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Roberts, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Stevenson, Thompson, Trail, Vander Woude, Wills, Wood(35). Total – 54.

NAYS – Barbieri, Bedke, Burgoyne, Hart, Harwood, Lacey, Luker, Moyle, Rusche, Wood(27), Mr. Speaker. Total – 11.

Absent and excused – Buckner-Webb, Henderson, Patrick, Smith(24), Thayne. Total – 5.  
Total – 70.

Whereupon the Speaker declared [HCR 38](#) adopted and ordered the resolution transmitted to the Senate.

#### [HCR 42](#) - HEALTH AND WELFARE - RULE DOCKET REJECTED

[HCR 42](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall [HCR 42](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Buckner-Webb, Henderson, Palmer, Patrick, Smith(24), Stevenson, Thayne. Total – 7.  
Total – 70.

Whereupon the Speaker declared [HCR 42](#) adopted and ordered the resolution transmitted to the Senate.

#### [HCR 43](#) - HEALTH AND WELFARE - RULE REJECTED

[HCR 43](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall [HCR 43](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Pence, Perry, Raybould, Ringo, Roberts,

Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – None.

Absent and excused – Buckner-Webb, Hagedorn, Henderson, Palmer, Patrick, Smith(24), Stevenson, Thayn. Total – 8.

Total – 70.

Whereupon the Speaker declared [HCR 43](#) adopted and ordered the resolution transmitted to the Senate.

Whereupon the Speaker declared the House adjourned at 2:20 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk

### **[HJM 8](#) - NO CHILD LEFT BEHIND**

[HJM 8](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bateman and Mr. Nonini to open debate.

The question being, "Shall [HJM 8](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson(Keough), Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hart, Hartgen, Harwood, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Thayn, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Buckner-Webb, Hagedorn, Henderson, Palmer, Patrick, Smith(24), Stevenson. Total – 7.

Total – 70.

Whereupon the Speaker declared [HJM 8](#) adopted and ordered the memorial transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fifth Order of Business.

### **Report of Standing Committees**

February 28, 2012

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 563](#) and recommend that it do pass.

LAKE, Chairman

[H 563](#) was filed for second reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

### **Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Wednesday, February 29, 2012. Seconded by Mr. Rusche. Motion carried.